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Attorneys for Defendant
Unum Life Insurance Company of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS WILKINS,

Plaintiff,

vs.

UNUM LIFE INSURANCE COMPANY
OF AMERICA; HSBC NORTH
AMERICA HOLDINGS, INC. LONG
TERM DISABILITY PLAN,

Defendants.

Case No. 3:10-02940 JSW

**JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE DISCOVERY
CUTOFF**

CURRENT DCO: 7/29/2011

REQUESTED DCO: 9/29/2011

1 IT IS HEREBY STIPULATED by and between plaintiff Louis Wilkins and defendants
2 UNUM LIFE INSURANCE COMPANY OF AMERICA (“UNUM”) and HSBC NORTH
3 AMERICA HOLDINGS, INC. LONG TERM DISABILITY PLAN (referred herein as
4 Defendants”), through their attorneys of record for an order to continue the discovery cutoff for
5 60 days for good cause as follows:

6 On February 4, 2011, this Court entered its scheduling order setting discovery cutoff for
7 July 29, 2011. Plaintiff noticed the depositions of two UNUM employees for July 7, 2011.
8 Defendants have contested Plaintiff’s legal right under ERISA to take the noticed depositions.
9 However, rather than bringing the dispute before the Court at this time, the parties agreed to
10 mediate the case before revisiting the discovery dispute, in the hope that the matter would
11 resolve absent the need to seek Judicial intervention in the discovery dispute.

1 The parties are currently set to mediate the case on July 20, 2011, using the services of
 2 mediator Robert J. Kaplan. In order to preserve Plaintiff's right to seek to conduct the
 3 aforementioned depositions if the mediation fails, and preserve defendant's right to object to the
 4 Plaintiff's taking the depositions, the parties respectfully request that the discovery cutoff be
 5 extended to September 29, 2011 solely related to the previously noted depositions. No previous
 6 extensions of the discovery cut-off have been requested, and the extension will not impact any of
 7 the other case management dates previously set by the Court.

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 9 DATED: July 12, 2011

KANTOR & KANTOR, LLP

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 11 By: /s/ Glenn R. Kantor

12 Glenn R. Kantor
 13 Peter S. Sessions
 14 Attorneys for Plaintiff
 15 Louis Wilkins

16 DATED: July 12, 2011

WILSON, ELSE, MOSKOWITZ,
 EDELMAN, & DICKER LLP

17
 18 By: /s/ Francis Torrence

19 Francis Torrence
 20 Thomas M. Herlihy
 21 Attorneys for Defendant
 22 Unum Life Insurance Company of America
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ORDER

Pursuant to the Stipulation of the Parties and for good cause appearing, the discovery cut-off in this matter is continued from July 29, 2011 to September 29, 2011, solely relating to the parties stipulation regarding the previously scheduled depositions. Plaintiff retains his right to notice the depositions, and defendants maintain their right to object to the depositions.

IT IS SO ORDERED.

DATED: July 13, 2011


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE